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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Benin

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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Commentary on the recommendations noted

1. On 10 November 2017, Benin presented its third national report under the universal periodic review at the twenty-eighth session of the Working Group on the Universal Periodic Review, held in Geneva.

2. On that occasion, the delegation of Benin reiterated the country's commitment to the promotion and protection of human rights as the basis of the rule of law. The delegation provided an update on the progress achieved and the problems encountered in the implementation of the recommendations issued during the second cycle of the universal periodic review. It also provided at least partial answers to some of the concerns raised by certain delegations with regard to, inter alia, the death penalty, child labour and ritual infanticide.

3. In the interactive dialogue that followed the presentation, 82 delegations of United Nations Member States made comments, observations and recommendations on the report of Benin.

4. A total of 198 recommendations were made, 191 of which Benin accepted.

5. Benin noted the following seven recommendations:

(a) Strengthen efforts to prevent and combat arbitrary detentions, extrajudicial executions and excessive use of force by the security forces (Italy); **Recommendation No. 118.191**.

The regulatory framework in place in Benin formally prohibits arbitrary detentions, extrajudicial executions and excessive use of force by the security forces;

(b) Set specific, measurable, achievable and relevant goals, in consultation with all stakeholders, in order to reduce bureaucracy (Haiti); **Recommendation No. 118.192**.

The delegation of Benin did not understand the intent of this recommendation. No clear response was received to requests made through the troika for clarification or rewording from the delegation of Haiti;

(c) Ensure that all national legislation complies with international standards on freedom of expression and media freedom, and take steps to prevent arbitrary suspension of media outlets (Ireland); **Recommendation No. 118.193**.

Freedom of expression and the freedom of the media are guaranteed in a number of texts. Moreover, no suspension measures are imposed on media outlets arbitrarily; any such measures relate to irregularities and are decided on by the Audio-Visual and Communication Authority, an independent body established by the Constitution;

(d) Resist calls to further liberalize abortion and instead implement laws aimed at protecting the right to life of the unborn, and recognize that life starts at conception (Kenya); **Recommendation No. 118.194**.

In Benin, the right to life of the unborn child is protected and respected from the point of conception. Benin is not facing any pressure to liberalize the rules on abortion, which is a punishable offence under the laws in force;

(e) Take urgent measures to investigate and sanction before justice harmful practices, such as forced marriage, female genital mutilation, widowhood practice, levirate and sororate, and purification rites for adulterous women (Argentina); **Recommendation No. 118.195**.

With regard to female genital mutilation and cultural or ritual infanticide, legal proceedings have been instituted in all cases that have been brought to the attention of the Government. Harmful practices related to widowhood, levirate, sororate and purification rites for adulterous women no longer exist in Benin.

(f) Adopt measures against child activities in convents dedicated to voodoo, where child abuses take place. Additionally, take measures to sanction and prevent the

practice of infanticide of so-called "witch children" (Honduras); **Recommendation No. 118.196.**

Rites that could be harmful to children are no longer practised in voodoo convents in Benin and there are no recorded cases of minors being ill-treated in them. If any such cases were to be identified, the perpetrators would be dealt with in accordance with the law, even if they were religious leaders or traditional chiefs;

(g) As almost 90 per cent of children in Benin have unfortunately been victims of violence at school, organize a national campaign for raising awareness against these unacceptable offences (Croatia); **Recommendation No. 118.197**.

Corporal punishment is prohibited in schools in Benin and the law is respected. A number of regulatory instruments have been adopted and countless national campaigns have been organized in this regard. As a result, the practice has been completely eradicated in the country.

Supplementary information to the third national report of Benin under the universal periodic review

6. Since 10 November 2017, the date of the submission of the third national report of Benin under the universal periodic review, there has been a number of major developments aimed at continuing efforts and progress in improving the human rights situation in the country.

7. These developments include the following:

(a) In the area of respect for the right to life, the Council of Ministers, at its meeting of Wednesday, 21 February 2018, adopted Decree No. 2018 -043 of 15 February 2018, which commuted 14 death sentences to life imprisonment;

(b) Benin has ratified the International Convention for the Protection of All Persons from Enforced Disappearance;

(c) Efforts to establish a prison management body have continued, with the appointment of the members of the Governing Board.

8. In the Transparency International Corruption Perceptions Index, Benin rose from ninety-fifth position in 2016 to eighty-sixth position in the world in 2017.